

PATENT COOPERATION TREATY

REC'D 24 JUN 2005

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From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

To:

see form PCT/ISA/220

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing

(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/B2005/050935

International filing date (day/month/year)
17.03.2005

Priority date (day/month/year)
30.03.2004

International Patent Classification (IPC) or both national classification and IPC
G06F1/00

Applicant
PHILIPS INTELLECTUAL PROPERTY & STANDARDS GMBH

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/IB2005/050935

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/B2005/050935

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	
	No: Claims	1-8
Inventive step (IS)	Yes: Claims	
	No: Claims	1-8
Industrial applicability (IA)	Yes: Claims	1-8
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V.

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

1. The following documents are referred to in this communication:

D1: US 2004/039909 A1 (CHENG DAVID) 26 February 2004 (2004-02-26)
D2: US 2002/184509 A1 (SCHEIDT EDWARD M ET AL) 5 December 2002 (2002-12-05)
D3: US 2003/149882 A1 (HAMID LAURENCE) 7 August 2003 (2003-08-07)
D4: WO 03/003169 A (CLOAKWARE CORPORATION; JOHNSON, HAROLD, J; MAIN, ALEC) 9 January 2003 (2003-01-09)

2. INDEPENDENT CLAIM 1

- 2.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.
- 2.2 Document D1 discloses (the references in parentheses applying to this document): a method of limiting access to a device ("method and system to authorize access" and "access could be granted ... networks", paragraph [0005]), said method comprises limiting access to said device according to at least respectively a first and a second level of access ("arbiter that defines the plurality of authentication levels", paragraph [0006]), wherein said method comprises the steps of: - receiving a protection key from the rightful user of said device, said protection key comprising a combination of biometric data relating to said rightful user and shareable knowledge data ("each authentication level includes one or more factors" and "an authentication factor could be a non-biometric or a biometric factor ... knowledge of a PIN", paragraph [0034]), - limiting access to said device whereby a first level of access to said device can be obtained when receiving an access key comprising said shareable knowledge data in said protection key, and a second level of access to said device can be obtained, when receiving an access key comprising the combination of said biometric data and said shareable knowledge data in said protection key (table 1 and "preferred to have ... non-biometric factors" and "7 different authentication levels ... different

authentication factors", paragraph [0034]).

3. INDEPENDENT CLAIM 8

3.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 8 is not new in the sense of Article 33(2) PCT.

3.2 The same reasoning as stated with respect to claim 1 applies, mutatis mutandis, to the subject matter of the corresponding independent claim 8, which therefore is also considered not new.

4. DEPENDENT CLAIMS 2-7

4.1 Dependent claims 2-7 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step (Article 33(2) and (3) PCT), see documents D1-D4 and the corresponding passages cited in the search report.